

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NATHAN KINNEY,  
Plaintiff,

v.

CIVIL ACTION NO.  
14-12752-NMG

UMASS CORRECTIONAL HEALTHCARE, et al.,  
Defendants.

**ORDER FOR DISMISSAL**

**February 26, 2016**

**GORTON, D.J.**

On March 30, 2015, U.S. Magistrate Judge Bowler issued an Order (Docket No. 4) directing plaintiff either to pay the \$350.00 filing fee and \$50.00 administrative fee by May 11, 2015, or file a Motion for Leave to proceed *in forma pauperis* along with his certified prison account statement. He was also permitted to file an Amended Complaint that would supersede the original Complaint filed in a multi-plaintiff civil rights action. See Stote, et al. v. UMASS Correctional Health Care, et al., C.A. No. 13-10267-NMG.<sup>1</sup>

On February 25, 2016, the case was randomly reassigned to this session for further proceedings.

A review of the docket indicates that, to date, plaintiff has failed to pay the filing and administrative fees or file a

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<sup>1</sup>The 2013 action was initiated by MCI Norfolk inmate John E. Stote concerning alleged inadequate medical care at MCI Norfolk. On June 25, 2014, this Court severed the individual prisoner claims into separate cases. See No. 13-10267-NMG, 06/25/2014 Memorandum and Order (the "June Order") (Docket No. 20). Pursuant to the directives of the June Order, the Clerk opened the instant action for plaintiff.

motion seeking a waiver of the filing fee as directed by Magistrate Judge Bowler. He also has not filed an Amended Complaint or any other document since March 30, 2015.

In light of this inactivity, the Court presumes plaintiff does not wish to proceed with his individual claims in this action. In any event, for the failure of plaintiff to comply with the Court directives and failure to satisfy the filing fee requirements, it is hereby Ordered that this action is DISMISSED in its entirety without prejudice.

SO ORDERED.

/s/ Nathaniel M. Gorton  
Nathaniel M. Gorton  
United States District Judge